

REMARKS

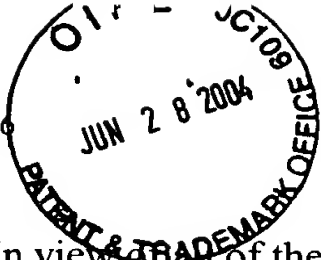
In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

The rejection of claims 51-65, 71, 72, 76-78, 84, 85, and 90-93 under 35 U.S.C. § 112 (second paragraph) for indefiniteness is respectfully traversed in view of the above amendments.

The rejection of claims 51-55 and 84-85 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 4,340,600 to Brenner et al. ("Brenner") is respectfully traversed.

Brenner discloses 4-phenyl-1,2,3,4-tetrahydroisoquinolines and their use in renal dilating methods. However, as to the pending claims, Brenner fails to teach the limitation "wherein if R^3 is $-S(O)_nR^{12}$, n cannot be 0, and wherein if R^3 is $-OR^9$, R^9 cannot be hydrogen. Since Brenner fails to teach or suggest compounds satisfying this limitation, it cannot anticipate the claimed invention. Accordingly, the rejection under 35 U.S.C. § 102 should be withdrawn.

The rejection of claims 51-73, 75-78, 81, 84-85, and 90-93 under 35 U.S.C. § 112 (second paragraph) for indefiniteness is respectfully traversed in view of the above amendments.



In view of the foregoing, applicants submit that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

Date: June 23, 2004

Michael L. Goldman
Registration No. 30,727

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1304
Facsimile: (585) 263-1600

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____

June 23, 2004

Date

Signature

Wendy L. Barry

Type or Print Name